



YOUTH COMMUNITY CORRECTIONS BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: YCC 60-19	Subject: STANDARDIZED OFFENDER URINALYSIS SCREENING
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Applicable ACA Standards:	Revision Date: 01-09-06, 11-23-07, 01-06-09, 08-17-09
Signature: /s/ Karen Duncan	Effective Date: 02-10-04
Signature: /s/ Steve Gibson	

I. BUREAU DIRECTIVE:

Youth Community Corrections (YCC) Bureau employees will follow established procedures for testing youth for substance abuse and follow the universal precautions to protect against blood borne pathogens. The Department has zero tolerance regarding the unauthorized use and abuse of controlled or prohibited substances by youth. This procedure will be reviewed annually and updated as needed.

II. DEFINITIONS:

Blood Borne Pathogens - pathogenic microorganisms that are present in human blood and can cause disease in humans. Some infections that can be transmitted through contact with blood and body fluids include; HIV, hepatitis A, B, C, staph and strep infections, gastroenteritis-salmonella, and shigella, pneumonia, syphilis, TB, malaria, measles, chicken pox, herpes, urinary tract infections, and blood infections. The greatest risks are from HIV and hepatitis B and C.

Cause - any indication that a youth may be using an unauthorized substance or any substance in an unauthorized manner. Such indication may be direct (observed by a staff person), hearsay (relayed through other individuals), circumstantial (perceived via reasonable inference), substance abuse history of the youth, or self-admission.

Confirmatory Testing – refers to a Department-approved laboratory testing process performed by trained scientists to confirm the presence of a drug or molecule within a testing sample.

Drug - any substance described in [50-32-101, MCA](#), et. seq., or any substance, taken through any means of administration, which alters the mood, the level of perception, or brain functioning. Such substances may range from prescription medications to illegal substances, as well as alcohol and solvents.

Drug Testing – using specialized equipment and chemical techniques to identify the presence of a drug or drug metabolite through testing a biological specimen collected from an individual.

Positive Sample - that an initial screen and/or a confirmatory screen show the presence of a controlled or prohibited substance meeting or exceeding the cut-off level as determined by the Department of Corrections.

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Program – any youth correctional facility or community-based program operated under Department jurisdiction or contract.

Random Sampling - the urinalysis screening of randomly selected youth for substance abuse.

Zero Tolerance - the Bureau will vigorously pursue and eliminate illegal drug use through urinalysis, observation, search, investigation, treatment, and other means of intervention.

III. PROCEDURES:

A. The system of programs for education and treatment of abuse of substances for youth must be sustained and enhanced. The programs shall remain as flexible as possible so that such programs may be used by each particular youth to the extent appropriate to that youth. The programs must be structured in such a manner that they provide a continuum of education and treatment programs for each youth as he/she proceeds through the youth justice system and may include, but not be limited to: attendance at self-help groups, group counseling, individual counseling, outpatient treatment, intensive outpatient/inpatient treatment, day reporting or treatment in a therapeutic community. Such programs must be, to the extent possible, accessible to all youth in the youth justice system.

1. Pursuant to its zero tolerance policy, the Bureau has a standardized drug screening and intervention program for the following purposes:
 - a. to identify youth who are using illegal substances and identify types of substances used;
 - b. to identify youth treatment needs and provide treatment strategies designed to meet those identified needs;
 - c. to provide appropriate interventions and/or sanction for every youth who tests positive for drugs or alcohol;
 - d. to properly classify youth who pose a risk to public safety due to their substance abuse; and
 - e. to reduce drug use among youth, which is intended to reduce disciplinary actions among youth and reduce returns to secure facilities.

2. The Bureau will implement this policy without discrimination on the basis of race, religion, gender, national origin, creed or political belief.

B. Drug Testing:

1. Youth, within the first 30 days of initial parole meeting, will be required to provide a urine specimen. Thereafter, random sampling and for-cause testing will be conducted on youth.

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2. Juvenile Parole Officers (JPO) or designees are authorized to request and collect urine samples. Officers will be expected to follow universal precautions against blood borne pathogenic urine samples.
3. JPOs have the capability for screening the following substances at the cut-off levels indicated below:

<u>SUBSTANCE</u>	<u>CUT-OFF</u>
Cannabinoids	50 ng/ml (nanograms per milliliter)
Opiates	300 ng/ml
Ethanol (screening by breath analysis)	
Barbiturates	200 ng/ml
Amphetamines	300 ng/ml (monoclonal)
Methamphetamines	1000 ng/ml (monoclonal)
Cocaine (Metabolite)	300 ng/ml
Phencyclidine (PCP)	25 ng/ml
Benzodiazepines	200 ng/ml
Methadone	300 ng/ml

Screening at any other level requires the approval of the Department Director.

4. Random Testing
 - a. Facilities/programs will use a **fully-randomized testing system** in order to:
 - i. maximize detection and deterrence;
 - ii. minimize the predictability of scheduled tests;
 - iii. defeat attempts to beat the test by substitution, hydration, or adulteration; and
 - iv. establish no safe times and no safe drugs to use without possibility of detection.
 - b. To be effective, random testing must be frequent enough that youth know that having their urine tested on any given day of any given week is a perceived possibility.
 - c. Random testing will be established on a schedule determined by a software program that tests a minimum of five percent of the youth population each month. Facilities may elect to randomly test more than five percent of the youth population per month.
5. For-cause Testing
 - a. The following are examples of circumstances for which facilities/programs may recommend for-cause drug testing:

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- i. anytime there is reason to suspect a youth has recently used drugs;
 - ii. testing is a requirement of a treatment or training program;
 - iii. an incarcerated youth has had community contact; or
 - iv. a parolee misses a commitment/meeting.
- b. Program staff must document why a youth is selected for-cause drug testing.

C. Alcohol/Drug Testing Procedure

The following procedure shall be followed if the JPO or designee conducts a portable breath test or breathe analyzer test:

1. A portable breath test or breath analyzer test shall be conducted by JPO to test youth suspected of alcohol use. The test will be conducted in accordance with the instructions of the test kit manufacturer.
2. The youth will be appropriately confronted by the JPO when the youth's test results are positive. The youth's statement of admission will be recorded in the [Youth Contact Chronological Verification Form YCC 60-1 \(B\)](#). Refer also to section III.E.2. The youth will be sanctioned and referred to treatment, when appropriate.
3. When a JPO requires the youth to provide a urine specimen, the youth has one hour to comply with the request. Additional time will be granted to a youth with a documented medical condition that prohibits him/her from complying with this order. If necessary, the youth may be given up to eight ounces of water, and will remain under staff supervision until the specimen is provided. The youth will provide enough urine to comply with test requirements. Failure to comply may result in sanctions. If no sample is provided after one hour, this may be considered a refusal.
4. A youth refusing to provide a specimen is in violation of his/her Parole Agreement. An intervention or on-site hearing may be required as a result of a refusal to provide a specimen.
5. When a youth refuses to provide a sample, it will be noted in the [Youth Contact Chronological Verification Form YCC 60-1 \(B\)](#).

D. Collecting and Securing Urine Specimens

The following procedure shall be followed when collecting and securing urine specimens:

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1. The JPO will wear exam gloves when obtaining urine specimens. Using other personal protective equipment is optional. From collection to secure storage, the specimen shall remain under the observation of the officer at all times.
2. The JPO will label the UA container before requesting that the youth provide a specimen. The label will indicate the youth ID number, date and the JPO's initials. Urine shall be handled according to standard operating procedures.
3. When possible, visual observation of the specimen container will be maintained by the individual collecting the specimen. The individual collecting the specimen will be the same gender as the youth.
 - a. When providing a urine specimen, the youth will:
 - i. Remove all excess clothing such as coats, sweaters, etc.
 - ii. Wash hands with soap and water, and dry hands before giving the sample, and
 - iii. Before returning the container to the staff, place the cover on the urine specimen container.
 - b. Upon collecting the specimen, the officer will use a container and process recommended by the manufacturer. When the youth challenges positive test results, preservation of evidence procedures must be followed, and a chain of evidence form accurately completed. The chain of evidence form should indicate medications being taken by the youth.
4. Each time a youth is tested, the individual collecting the specimen must complete the [Drug and Alcohol Screening Form \[YCC 60-19 \(D\)\]](#).

E. Positive Sample Results:

1. A sample is positive when an initial screen and/or a confirmatory screen show a presence of a controlled or prohibited substance meeting or exceeding the cut-off level as defined in this policy. A positive sample is sufficient reason to hold an intervention, refer the youth for an evaluation and/or treatment, or to pursue a revocation when additional violations or public protection issues exist.
2. Youth should be given an opportunity to admit substance use at the time they are requested to provide a urine specimen. **When a youth admits to the use of illegal substances, [YCC 60-19 \(A\) Substance Abuse Admission Form](#) will be used to document the admission, and subsequent disciplinary action will follow.**

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3. If results from the screening test are positive and the youth does not admit use, the sample must be forwarded for confirmatory testing to a Department-approved laboratory to determine precisely which drug or drugs are present in the specimen .
 - a. The youth may be required to pay the cost for the additional screening. This additional screening will not delay disciplinary action that results in detention time or removal to a more secure environment.
 - b. To submit urine for testing/analysis, place the containers in two leak proof Ziploc plastic bags. The double-bagged container should then be placed in a shipping container (box, etc.) large enough and strong enough as not to be damaged (crushed) prior to getting to the laboratory.
4. All youth testing positive for drugs and not returned to a correctional facility may be referred for participation in a treatment program. The referral will be noted in the youth's file. Within 30 days of beginning any treatment program, the youth must be retested, unannounced. Volunteering for treatment does not dismiss the need to hold an intervention or on-site hearing and associated sanctions or reports.
5. Youth who test positive and who have previously completed drug treatment may be considered for referral to an appropriate program. Youth's privileges may be curtailed while in the program, and the youth may be expected to pay the cost of treatment.
6. The above actions do not preclude other action or, when applicable, transfer to a secure facility.
7. Youth may be detained whenever detention is required to protect the person or property of the youth or of others or when the youth may abscond or be removed from the community.

F. Youth Sanctions

Youth may be subject to sanctions, considering unique case circumstances, as determined by an intervention or on-site hearing.

1. For the first positive urine test the youth may receive minimum sanctions through intervention or on-site hearing, such as:
 - a. increased supervision level;
 - b. restricted travel;
 - c. specific curfew restrictions;
 - d. electronic monitoring;
 - e. increased testing;

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- f. community service;
 - g. recovery groups agreeable to the youth;
 - h. find and meet with a sponsor regularly;
 - i. out-patient treatment;
 - j. intensive out-patient treatment;
 - k. in-patient treatment
 - l. other counseling;
 - m. review of specific Pathways to Self Discovery and Change chapters;
 - n. increase parental supervision, accountability, restricted privileges at home;
 - o. restrictions from specific peer associations;
 - p. restriction or termination of specific activities or places frequented that are associated with alcohol or drug use;
 - q. specialized monitoring at school work or other program;
 - r. out of home placement when necessary to provide a new recovery environment for the youth; or
 - s. referral to a chemical dependency provider for an updated assessment, evaluation, and/or further treatment.
2. For the second positive urine test the youth will receive increased sanctions from the Juvenile Parole Officer at an Intervention or Hearings Officer at an on-site hearing, including all sanctions listed in III.F.1.
 3. Third positive urine test within a one-year time frame – the youth may be given an on-site hearing and revocation to a youth correctional facility may be considered as a possible sanction.
 4. JPO's response to a youth's attempt to beat a drug test will consider the sanctions as listed in III.F.1.
 5. The JPO will monitor the youth's given sanctions, and data will be entered into the [Youth Contact Chronological Verification Form YCC 60-1 \(B\)](#).

G. Reporting

1. JPOs and Youth Transition Centers Director, or designee, will submit drug testing monthly reports to YCC Administrative Support by the seventh day of each month or last working day prior. [Refer to [YCC 60-19 \(B\), Drug Testing Monthly Report](#)]
2. YCC Administrative Support will compile all reports and send [YCC 60-19 \(C\), Drug Testing Monthly Compiled Report](#) to the DOC Compliance Monitoring Supervisor.

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H. STEPS:

RESPONSIBILITY:

1. Advise youth a urine test for controlled substances will be administered. Give youth the opportunity to admit to drug usage prior to test. Should youth admit to using a controlled substance, ask youth to fill out, sign, and date [YCC 60-19 \(A\) Substance Abuse Admission Form](#). Continue with testing procedures. JPO/YTC Staff
2. Request youth remove all excess clothing such as coats, hats, sweaters, etc. Advise youth to remove all items from pockets. Take youth to lavatory. Ensure youth washes hands with soap and water and dries them completely. JPO/YTC Staff
3. The officer must wear exam gloves at all times during the urinalysis collection. Write youth ID number and date on urine cup prior to requesting a sample. Give urine cup to youth and visually observe collection. Visual observation may only be conducted by someone of the same gender. Request youth place testing lid on sample and place on paper towel on counter top. Place rapid-result screening device into urine sample. Follow manufacturer's directions. JPO/YTC Staff
4. If the test is negative, ask youth to empty sample into toilet. Place empty container and test stick into Ziploc bag and seal. Dispose of into trash container. JPO/YTC Staff
5. If the youth is known to be infected with any bloodborne pathogen (i.e. HIV, Aids, Hepatitis A, B, or C, etc.) or if blood is suspected in the urine sample, then universal precautions must be used. The urine sample will be flushed down the toilet. The urine cup, test stick or any other objects in contact with specimen will be double bagged and sealed. The items will be placed into the biohazard waste container provided by the Department. A licensed JPO/YTC Staff

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contractor will then dispose of the biohazard waste when the container becomes filled.

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| 6. | If the test is positive for controlled substances and the youth admits, then follow through with recommended sanctions and fill out YCC 60-19 (A), Substance Abuse Admission Form . If results from the screening test are positive and the youth does not admit use, sample must be forwarded for confirmatory testing to a Department-approved laboratory to determine precisely which drug or drugs are present in the specimen. The urine sample will be sealed with evidence tape and then the youth will initial and date the sample. The sample must be double bagged in a leak proof Ziploc bag to insure against leakage. Ask youth about any medications he or she is taking and note them on the screening form. Follow the protocol for the crime lab or other screening agency and ensure their forms are utilized. Place sample in the designated cold storage/evidence area until sample is sent for further testing. Additional screening may not necessarily delay sanctions. | JPO/YTC Staff |
| 7. | Each time a youth is tested , the individual collecting the specimen must complete the Drug and Alcohol Screening Form [YCC 60-19 (D)] | JPO/YTC Staff |
| 8. | A Drug Testing Monthly Report [YCC 60-19 (B)] will be sent to YCC Administrative Support by the seventh day of each month or the last business day prior. | JPO/YTC Director or designee |
| 9. | Compile the reports into the Drug Testing Monthly Compiled Reports [YCC 60-19 (C)] and send to the DOC Compliance Monitoring Supervisor. | YCC Administrative Support |

IV. CLOSING:

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Questions concerning this procedure shall be addressed to the Youth Community Corrections Bureau Chief.

V. REFERENCES:

<u>53-1-203, MCA</u>	<u><i>Powers and Duties of the Department of Corrections</i></u>
<u>50-32-101 MCA</u>	<u><i>Controlled Substances Definitions</i></u>
<u>DOC 1.3.35</u>	<u><i>Bloodborne Pathogens Control Plan/Hepatitis B Immunization</i></u>
<u>DOC 3.1.20</u>	<u><i>Standardized Offender Drug Screening</i></u>

VI. ATTACHMENTS:

[YCC 60-19 \(A\) Substance Abuse Admission Form](#)
[YCC 60-19 \(B\) Drug Testing Monthly Report](#)
[YCC 60-19 \(C\) Drug Testing Monthly Compiled Report](#)
[YCC 60-19 \(D\) Drug and Alcohol Screening Form](#)